

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM ZANTELLO,

Plaintiff,

v.

Case No. 2:15-CV-12994

District Judge Sean F. Cox

Magistrate Judge Anthony P. Patti

UNITED STATES OF
AMERICA,

Defendant.

**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANT’S
MOTION FOR PROTECTIVE ORDER (DE 13)**

This matter is before the Court for consideration of Defendant’s motion for protective order (DE 13), Plaintiff’s response (DE 16), and Defendant’s reply (DE 17). In its motion, Defendant asks the Court to prevent Plaintiff, William Zantello, from attending the depositions of three medical professionals from the Department of Veteran’s Affairs (“VA Deponents”). Counsel for both parties, as well as Mr. Zantello, came before me for a hearing on July 26, 2016. For the reasons stated on the record,¹ Defendant’s motion is **GRANTED IN PART AND DENIED IN PART** with the following specifications:

¹ In addition to which the Court notes that depositions are considered “to be part of the trial.” *Hines v. Wilkinson*, 163 F.R.D. 262, 266 (S.D. Ohio 1995) (citing *Helffferich v. Farley*, 36 Conn. Supp. 333, 419 A.2d 913,914 (1980)).

1. Defendant may notice the VA Deponents' depositions in question at the location of its choosing.
2. If one or more of the VA Deponents' depositions take place at the federal building in Ann Arbor, located at 200 East Liberty Street, Ann Arbor, Michigan 48104, a court security officer ("CSO") shall be present or in the immediate vicinity of the room where the deposition is held, upon request by the U.S. Attorneys Office. Further, Mr. Zantello's attorney shall meet him outside of the federal building and escort him to the deposition.
3. If one or more of the VA Deponents' depositions takes place at the VA Ann Arbor Healthcare System, located at 2215 Fuller Road, Ann Arbor, Michigan 48105, Mr. Zantello's attorney shall meet him outside of that facility and escort him to the deposition.
4. During the VA Deponents' depositions, Mr. Zantello shall not disrupt, speak out of turn, or speak on the record. If he wishes to communicate with his attorney during any of the VA Deponents' depositions, he may do so in writing or speak with her outside of the deposition room.

IT IS SO ORDERED.

Dated: July 27, 2016

s/Anthony P. Patti
Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on July 27, 2016, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the

Honorable Anthony P. Patti